

An Account of the T R Y A L S

O F

Captain J. Golden.	Lawrence Maliene.	Const. D'Hearty.	John Ryon.
Thomas Jones.	Patrick Whitley.	Richard Shewers.	Dennis Cockram.
John Gold.	John Slaughter.	Darby Collins.	John Walsb.

At the Court of Admiralty held in the Marshalsea in Southwark, before the Right Honourable the Judges : on monday the 25th. of Feb. 1693. Of which 9 were found Guilty, and received Sentence of Death: 3 for High Treason, and 6 for Piracies and Roberys on the Seas, under the colour of the late King James's Commission.

Licens'd Feb. 27th. 1693.

A Court of Admiralty, by Vertue rected by the Court as to matter of Fact, of a Commission from Their Ma- he was found Guilty of High-Treason. jesties being held on Monday the John Golden, or Ooldin, John Gold, 26th of this instant February, at the Lawrence Maliene, and another Person, Marshalses in Southwark, before the were Indicted for High-Treason, as the Right Honourable the Judges; the Pro-former for Engaging, and hauling the proceedings were as they related to the Pri-James Galley, one the Their Majesty's soners, herein mentioned in this manner, Frigates, or men of War, carrying their Thomas Jones was Indicted for High-Flag.

Treason, for that he being a Natural born In the Sun-Privateer belonging to Subject of Their Majesties, contrary to France, Commissioned by the late King his Duty and Allegiance, being on Board James; the King's Witnesses swore po-a Vessel, Commissioned by the late K. sitively to John Golden, who was stiled James, Assaulted by open Force and the Captain of the Sun-Privateer, be-Violence, one of Their Majesty's Men fore-mentioned; as likewise to John Gold of War; and the Evidence being plain the former of which endeavoured to ex-against him, that he was taken with o-cuse himself, as pretending to be a French-thers in the Attempt, and he making but man, or at least carried out of Ireland in-a slender defence in his behalf, excusing to Britany in France so young, that he it only that he knew not the danger of knew not his Parentage in any other such an Attempt, and did it through Ig-Nation, but that not sufficiently appear-norance, as supposing the Commission ing, he delivered a long Paper which he acted under sufficient to warrant his Read in Court, in which were cited some Illegal Proceedings; the Jury being di-Transactions of former times, which John

he apprehended related to his Circum-People, py Robberies and Depredations cumstances by way of Excuse; but he contrary to the Laws of Nature and Nature was in that over-ruled by the Court, who told him, it was not material to his purpose, & those that advised him to it, were not his Friends, or to the like purpose; then he prayed he might have a special Verdict, but the Court thought not fit to allow it.

Richard Shevers, Darby Collins, John Ryon, Denis Cockram, and John Walsh were as the foregoing, urged for Piracy and Robbery, and impaired thereto as they fancy'd, by vertue of a Commission granted by the Late King *James*:

John Gold pleaded little for himself, but in alledging his Ignorance in not being apprehensive of the danger he undertook when he went on Board the Privateer, supposing the Commission they had to be Authentick. Against the other two Persons indicted with them, the Evidence not being positive, they were acquitted, but the two former were brought in guilty of High-Treason, as laid in the Indictment.

Patrick Whirly, John Sangster, and Constine De Heartly were indicted for Piracy and Robbery on the Seas, and upon Evidence it appeared that they and others were found on Board an *English* Vessel, retaken by one of Their Majesties Men of War, on the *Western-Coasts*. The Evidence for the King was positive against them, That they were found on Board the Ship they had taken; and their Examinations being produced, wherein they had confessed the matter of Fact, tho excusing it in Court thrugh ignorance: upon the *Juries* going out, they were found guilty of the Piracy, Robbery and Force used upon the *English* Vessel, *Super Mare Altum*; it evidently appearing. Moreover the Persons were Their Majesties Natural Born Subjects, yet acting against them, and to the prejudice of their Liege

Upon Evidence it appear'd that the three first were taken on Board an *English* Vessel they had seized, and were carrying into *France*, upon it's being Retaken by their Majesties Ship the *Prince of Orange*, so that making but slender Excuses, and their Informations taken, making their former Excuses Evident, they were found Guilty; but the Evidence not being full against the two Latter, they were Acquitted.

Job Hingingbottom was Tried for the Murther of one *Mariss* alias *Marissu*, upon the Evidence it appeared, that he being Master of a Vessel, it was stranded near the Isle of *Orkney*, belonging to *Scotland*; and that the Deceased, and others that were Servants on Board his Vessel, carrying away the Boat, and getting on Shore, he called him to return with the Boat, but he refusing so to do, and the Ship still beating on the Shallows in likelihood to be lost, as afterward it was, he fired after him with a Musquet, and at the second time hit him on the back part of the Head, of which Wound he died: He alledged in his own Defence, that he did it only to fright him into a Return with the Boat, designing to fire over or wide of him; but the Violent Motion of the Ship, made him unfortunately Ere in his Intentions, and it appearing to be done in a Distinct Kingdom, as 'so not upon the Main Ocean, the Jury found him not Guilty of the Indictment.

These being the Material Proceedings of the Day, the Prisoners that were found Guilty, being brought to the Bar, the Court proceeded to give Sentence upon *Thomas Jones, John Golden, and John Gold*, to be drawn, hanged, and quartered, as in Cases of High Treason the Law directes.

Patrick Whirley, John Sangster, John Ryon, Darby Collins, and Richard Shevers Received Sentence to be hanged only as Pirates &c.